



**DEPARTMENT OF THE ARMY**  
UNITED STATES ARMY GARRISON MANNHEIM  
UNIT 29901  
APO AE 09086-9901

IMEU-MAN-PW

APR 11 2006

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Standard Operating Procedure for the Environmental Review in Project Planning at the United States Army Garrison (USAG) Mannheim

1. REFERENCES:

- a. Memorandum from Russel B. Hall, IMA-E, Subject: Environmental Considerations during Early Project Planning, 23 February 2005.
- b. Executive Order 12114: Environmental Effects Abroad of Major Federal Actions, 4 January 1979.
- c. Army Regulation (AR) 200-1: Environmental Protection and Enhancement, 21 February 1997.
- d. USAREUR Regulation (UR) 200-1: USAREUR Environmental Quality Program, 9 December 1993.
- e. Environmental Review Guide.

2. PURPOSE: To provide a standard procedure for the consideration of environmental requirements in the planning process.

3. APPLICABILITY: This procedure applies to all personnel involved into planning processes within the Mannheim Military Community.

4. DEFINITIONS:

- a. Facilities Engineering Work Request (DA Form 4283): Standard form for obtaining services from the Directorate of Public Works (DPW).
- b. MILCON (Military Construction) Projects: Any construction project where the cost of new work, defined as construction, development, conversion, or extension of a military installation, exceeds \$750 K. It includes all construction work necessary to produce a complete and usable facility or a complete and usable improvement to an existing facility. MILCON projects are applied for using DD Form 1391.

c. Auftragsbautengrundsätze 1975 (ABG 75): Basis for U.S. Forces contracting for engineering and construction services in Germany under NATO Status of Forces Agreement (SOFA).

## 5. RESPONSIBILITIES:

a. Garrison Commander: Provides Command support for the EMS. Approves execution of projects.

b. Director, Public Works: Provides overall supervision and direction for the environmental program.

c. Environmental Management Division: Reviews projects regarding their environmental relevance and provides comments during bi-weekly Work Order Review Board Meetings. Signs off on DD 1391.

d. Engineering Division: Reviews environmental relevance of projects during design review meetings.

## 6. PROCESSES:

a. Initiation of Planning Process: Proponents (e.g. DPW Divisions, tactical units, tenant units) initiate the planning process by requesting a project using DA Form 4283 (Facilities Engineering Work Request) or DD Form 1391 (Military Construction Project Data).

b. Project Review: Work Requests are reviewed by the DPW Division Chiefs in bi-weekly Work Order Review Board meetings. During these meetings the environmental relevance of a project can be assessed. MILCON projects that are applied for through DD Form 1391 are submitted to the Department of the Army or IMA-EURO for approval.

c. Project Execution: Depending on volume, utilization and complexity a project is executed either in-house, through the Main Garrison (former ASG), the Corps of Engineers, or the State Construction Agencies. Construction projects that are supporting the military mission such as radar or missile facilities etc. are exempt from AGB 75 and can be executed through troop construction.

d. Environmental Considerations: Preparation of an environmental impact analysis during early project planning is the responsibility of each project proponent. The Environmental Review Guide (ERG) was created to facilitate this requirement and must be used for each MILCON project.

IMEU-MAN-PW

SUBJECT: Standard Operating Procedure for the Environmental Review in Project Planning at the United States Army Garrison (USAG) Mannheim

The project proponent produces a Record of Environmental Consideration (REC) using the automated ERG system, which involves a series of questions regarding natural and cultural resources, soils, forests, water and air quality, fish and wildlife and their habitats. The project proponent coordinates with the USAG Mannheim Environmental Management Division before the REC is forwarded to the Main Garrison EMO for approval.

Projects that are planned and executed in Germany by the State Construction Agencies or Contractors are exempt from using the ERG. However, environmental considerations for projects planned and executed in Germany must always be compliant with German environmental law and regulations and therefore environmental factors are always included in the planning. Special German regulations apply for construction projects that are planned in water protection zones, Flora Fauna Habitat (FFH) areas or other environmentally sensitive areas. The consideration of environmental issues is regulated by the German Environmental Impact Review Act (Umweltverträglichkeitsprüfungsgesetz), the Natural Protection Act (Bundesnaturschutzgesetz) and other environmental legislation.

If a project is planned and executed by the State Construction Agency, this agency is responsible for the consideration of possible environmental restrictions.

e. Exclusions: Annex 1 provides a list of projects that are excluded from the environmental review guide requirement.

7. POC is Ms. Mary Kay Foley, Chief, Environmental Management Division, at DSN 381-8675, email: mary.foley@us.army.mil

Encl



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Annex 1: Exclusions from ERG

Projects and activities listed below are excluded from the requirement to conduct an environmental review.

- Routine procurement of goods and services, including routine utility services.
- Storage of materials, other than ammunition, explosives, pyrotechnics, nuclear, and other hazardous or toxic materials.
- Routine movement of personnel; routine handling and distribution of non-hazardous and hazardous materials in conformance with the FGS, The European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) and the Joint Regulation for the Safe Movement of Hazardous Goods via Surface Modes (USAREUR Regulation 55-4).
- Routine repair and maintenance of buildings, roads, airfields, grounds, equipment, and other facilities, to include the layaway of facilities, except when requiring the application or disposal of hazardous or contaminated materials/wastes (e.g., asbestos and lead-based paint). Routine maintenance and grounds repair includes erosion control, grading/shaping for erosion control, reseeding, and regularly scheduled clearing of herbaceous vegetation.
- Activities performed by military police and physical plant protection and security personnel, excluding formulation and/or enforcement of hunting and fishing policies or regulations that differ substantively from those in effect on surrounding non-Army lands.
- Commissary and Post Exchange (PX) operations, except where hazardous material is stored or disposed. Training entirely of an administrative or classroom nature.
- Simulated war games and other tactical and logistical exercises without troops.
- Operations conducted by established laboratories within enclosed facilities, in which (a) all airborne emissions, waterborne effluents, external radiation levels, outdoor noise, and solid bulk waste disposal practices are in compliance with applicable Final Governing Standards (FGS), DoD directives and instructions, and Army and USAREUR regulations and policies, and (b) no animals that must be captured from the wild are used as research subjects, excluding reintroduction projects.
- Deployments of military units on a temporary duty basis where existing facilities are used for their original purposes. For example, an existing warehouse to be used as a motor pool should not be excluded.
- Conversion of commercial activities to contract performance services from in-house performance under the provisions of DoD Directive 4100.15.
- Normal personnel, fiscal, and administrative activities involving military and civilian personnel (recruiting, processing, paying, and records keeping).
- Development of table organization and equipment documents, no fixed location or site.
- Preparation of regulations, procedures, manuals, and other guidance documents that implement, without substantive change, the applicable HQDA regulations, procedures, manuals, and other guidance documents that have been environmentally evaluated.
- Studies that involve no commitment of resources other than manpower.
- Activities that identify or grant permits to identify the state of the existing environment (i.e., inspections, surveys, and investigations) without alteration of that environment or capture of wild animals.
- Grants of easements for the use of existing rights-of-way for use by vehicles; electrical, telephone, and other transmission and communication lines; transmitter and relay facilities; water, wastewater,

SUBJECT: Standard Operating Procedure for the Environmental Review in Project Planning at the United States Army Garrison (USAG) Mannheim

stormwater, and irrigation pipelines, pumping stations, and facilities; and for similar public utility and transportation uses.

- Grants of leases, licenses, and permits to use existing Army controlled property for non-Army activities, provided there is an existing land-use plan that has been subject to an environmental review using this ERG, and the activity will be consistent with that plan.
- Grants of licenses for the operation of telephone, gas, water, electricity, community television antenna, and other distribution systems normally considered as public utilities.
- Actions that the DoD component concerned determines do not do significant harm to the environment outside the United States or to a designated resource of global importance.
- Actions taken by the President. These include: signing bills into law; signing treaties and other international agreements; the promulgation of EOs; Presidential proclamations; and the issuance of Presidential decisions, instructions, and memoranda. This includes actions taken within the DoD to prepare or assist in preparing recommendations, advice, or information for the President in connection with one of these actions by the President. It does not include actions taken within the DoD to implement or carry out these instruments and issuances after they are promulgated by the President.
- Actions taken by or pursuant to the direction of the President or a cabinet officer in the course of armed conflict. The term "armed conflict" refers to: hostilities for which Congress has declared war or enacted a specific authorization for the use of armed forces; hostilities or situations for which a report is prescribed by section 4(a) (1) of the War Powers Resolution, 50 U.S.C.A. § 1543(a) (1) (Supp. 1978); and other actions by the armed forces that involve defensive use or introduction of weapons in situations where hostilities occur or are expected. This exemption applies as long as the armed conflict continues.
- Actions taken by or pursuant to the direction of the President or a cabinet officer when the national security or national interest is involved. The determination that the national security or national interest is involved in actions by the Department of Defense must be made in writing by the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics)
- The activities of the intelligence components utilized by the Secretary of Defense under Executive Order 12036, 43 Fed. Reg. 3674 (1978). These components include the Defense Intelligence Agency, the National Security Agency, the offices for the collection of specialized intelligence through reconnaissance programs, the Army Office of the Assistant Chief of Staff for Intelligence, the Office of Naval Intelligence, and the Air Force Office of the Assistant Chief of Staff for Intelligence.
- The decisions and actions of the Office of the Assistant Secretary of Defense (International Security Affairs), the Defense Security Assistance Agency, and the other responsible offices within DoD components with respect to arms transfers to foreign nations. The term "arms transfers" includes the grant, loan, lease, exchange, or sale of defense articles or defense services to foreign governments or international organizations, and the extension or guarantee of credit in connection with these transactions.
- Votes and other actions in international conferences and organizations. This includes all decisions and actions of the United States with respect to representation of its interests at international organizations, and at multilateral conferences, negotiations, and meetings.
- Disaster and emergency relief actions.
- Actions involving export licenses, export permits, or export approvals, other than those relating to nuclear activities. This includes: advice provided by DoD components to the Department of State with respect to the issuance of munitions export licenses under section 38 of the Arms Export

**SUBJECT: Standard Operating Procedure for the Environmental Review in Project Planning at the United States Army Garrison (USAG) Mannheim**

Control Act, 22 U.S.C. § 2778 (1976); advice provided by DoD components to the Department of Commerce with respect to the granting of export licenses under the Export Administration Act of 1969, 50 U.S.C. App. §§ 2401-2413(1970 & Supp. V 1975); and direct exports by the DoD of defense articles and services to foreign governments and international organizations that are exempt from munitions export licenses under section 38 of the Arms Export Control Act, 22 U.S.C. § 2778 (1976). The term "export approvals" does not mean or include direct loans to finance

- Actions relating to nuclear activities and nuclear material, except actions providing to a foreign nation a nuclear production or utilization facility, as defined in the Atomic Energy Act of 1954, as amended, or a nuclear waste management facility.

**Case-by-Case and Class Exemptions:** The DoD is authorized under EO 12114 to establish additional exemptions that apply only to the DoD's operations. There are two types of additional exemptions: case-by-case and class.

- **Case-by-Case Exemptions.**

- Exemptions other than those specified above may be required because emergencies, national security considerations, exceptional foreign policy requirements, or other special circumstances preclude or are inconsistent with the preparation of environmental documentation and the taking of other actions prescribed by this enclosure. The following procedures apply for approving these exemptions:
- Emergencies. This category includes actions that must be taken to promote the national defense or security and that cannot be delayed, and actions necessary for the protection of life or property. The heads of the DoD components are authorized to approve emergency exemptions on a case-by-case basis. The DoD is required to consult as soon as feasible with the Department of State and the Council on Environmental Quality with respect to emergency exemptions. The requirement to consult as soon as feasible is not a requirement of prior consultation. A report of the emergency action will be made by the DoD component head to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics), who, with the Assistant Secretary of Defense (International Security Affairs), shall undertake the necessary consultations.
- Other Circumstances. National security considerations, exceptional foreign policy requirements, and other special circumstances not identified by a General Exemption, above, may preclude or be inconsistent with the preparation of environmental documentation. In these circumstances, the head of the DoD component concerned is authorized to exempt a particular action from the environmental documentation requirements of this enclosure after obtaining the prior approval of the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics), who, with the Assistant Secretary of Defense (International Security Affairs), shall consult, before approving the exemption, with the Department of State and the Council on Environmental Quality. The requirement for prior consultation is not a requirement for prior approval.
- **Class Exemptions.**
- Circumstances may exist where a class exemption for a group of related actions is more appropriate than a specific exemption. Class exemptions may be established by the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) who, with the Assistant Secretary of Defense (International Security Affairs), shall consult, before approving the exemption, with the Department of State and the Council on Environmental Quality. The requirement for prior consultation is not a requirement for prior approval. Requests for class exemptions will be submitted by the head of the DoD component concerned to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) after coordination with other interested DoD components.

IMEU-MAN-PW

SUBJECT: Standard Operating Procedure for the Environmental Review in Project Planning at the United States Army Garrison (USAG) Mannheim

**Categorical Exclusions.** The DoD is authorized by EO 12114 to provide for categorical exclusions. A categorical exclusion is a category of actions that normally do not, individually or cumulatively, do significant harm to the environment. If an action is covered by a categorical exclusion, no environmental document is required. DoD components identifying recurring actions that have been determined, after analysis, not to do significant harm to the environment should submit requests for categorical exclusions and accompanying justification to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics).